

CHAPTER NO. 382

HOUSE BILL NO. 1585

By Representative Rinks

Substituted for: Senate Bill No. 1336

By Mr. Speaker Wilder

AN ACT to amend Tennessee Code Annotated, Section 7-82-307, relative to the board of commissioners of any water utility district having a service area that includes territory within an adjoining state but primarily includes territory within this state in any county having a population of not less than 22,600 nor more than 22,700 according to the 1990 federal census or any subsequent federal census.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 7-82-307(1)(3), is amended by deleting the following sentence:

Any subsequent elections to fill a vacancy occurring after July 1, 1999, shall be scheduled by the board as soon as practicable after receiving notice of the vacancy.

and by substituting instead the following sentence:

In the event of a vacancy on the board, the remaining commissioners shall as soon as practicable appoint an interim board member, who shall serve until the next regularly scheduled election for position 1, 2, 3, 4, or 5; at which time the position of the interim board member shall be filled along with any other position up for election.

SECTION 2. Tennessee Code Annotated, Section 7-82-307(1)(4)(A), is amended by deleting the following sentences:

Only customers residing in the district shall be entitled to vote in elections for board members or be eligible for election to the board. "Customer" means a person or entity whose name appears on a utility bill for water services. Only one (1) vote shall be allowed for each utility bill.

and by substituting instead the following sentences:

Only customers residing in the district shall be entitled to vote in elections for board members or be eligible for election to the board. "Customer" means any person whose name appears on a utility bill for water services. Each customer has one (1) vote, regardless of the number of meters registered to such customer. Each customer must vote in person; voting by mail or proxy is prohibited.

SECTION 3. Tennessee Code Annotated, Section 7-82-307(1)(4)(D), is amended by deleting the following sentences:

Not more than twenty (20) days nor less than fifteen (15) days before the election, the board shall mail a ballot, with instructions, to all customers of the district including the names of all candidates who qualified by submitting nominating petitions. Customers shall bring the ballot and notice of election to the scheduled meeting and cast their vote for a candidate at the meeting. The votes shall be forthwith counted at the meeting by the incumbent board members in the sight and presence of such of the customers as choose to be present and observe such count and tally.

and by substituting instead the following sentences:

Not more than twenty (20) days nor less than fifteen (15) days before the election, the board shall mail a sample ballot, with instructions, to all customers of the district including the names of all customers who qualify by submitting nominating petitions. The vote shall be forthwith counted at the election meeting in the sight and presence of such of the customers as choose to be present and observe such count and tally.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: June 4, 2001**

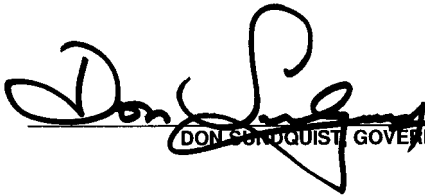


JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES



JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 12<sup>th</sup> day of June 2001**



DON SUNDQUIST, GOVERNOR